IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 31ST OCTOBER 2007 / 9TH KARTHIKA 1929

Bail Appl..No. 6594 of 2007(M)

CR. NO.263/2007 OF PANANGAD POLICE STATION

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PETITIONER/ ACCUSED NO.2:

MR.MOHAMMED, AGED ABOUT 32 YEARS,
S/O.ANSAR, ARIYIRIPADAM HOUSE,
PAZHAMBALAKKADU AREA, THANOOR VILLAGE,
PALAKKADU.

BY ADV. SRI.SOORAJ T.ELENJICKAL
SRI.M.A.JOSEPH MANAVALAN

RESPONDENTS: COMPLAINANT:

STATE OF KERALA THROUGH SUB INSPECTOR
OF POLICE, PANANGAD POLICE STATION,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.6594 of 2007

Dated this the 31st day of October 2007

O R D E R

Application for regular bail. The petitioner is the second accused. He, along with the first accused, is alleged to have committed offences punishable under Sections 406 and 420 I.P.C. The first accused is a former employee of Indus Motors. His employment with the company stands terminated. But taking advantage of his contacts while he was an employee, the first accused is alleged to have gone to various customers and taken away their vehicles pretending that he is continuing as an employee. The first accused is involved in some other earlier crimes also. The first accused was arrested. He was interrogated. His interrogation revealed that the petitioner was the second person shown in the F.I.R. He was the person who had gone to the de facto complainant's house along with the first accused. The petitioner was arrested on 30/9/2007. He continues in custody from that date. It is the case of the prosecution that the vehicle involved in this case has not been recovered yet though it has been ascertained that the first accused had sold the vehicle to some other person at Palakkad. The alleged involvement of the petitioner is only that he had accompanied the first accused when he went to the house of the de facto complainant to commit the crime.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that regular bail can be granted to the petitioner, in the facts and circumstances to which I have made brief reference already. Appropriate conditions can of course be imposed.

3. In the result, this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:

i) He shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays, for a period of three months and thereafter as and when directed by the investigating officer in writing to do so.

iii) The petitioner shall not leave the sessions division of Ernakulam until further orders without the prior permission of the learned Magistrate during the above said period of three months.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007